IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1037 of 2007()

CRMP.376/2007 of DISTRICT COURT, ALAPPUZHA
CRIME NO. 485/06 OF CHERTHALA POLICE STATION

.....

: APPLICANT/ACCUSED

T.A.RAJAPPAN, S/O.ACHUKUTTY THANDAR,
AGED 63 YEARS, THAYATTUPARAMBIL,MANAKKODAM,
TIRUMALABHAGOM P.O, CHERTHALA.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.PETER JOSE CHRISTO

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
CIRCLE INSPECTOR OF POLICE,CHERTHALA THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
KOCHI - 682 031.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1037 OF 2007

Dated this the 27th day of February, 2007

O R D E R

Petitioner, who is the 5th accused in Crime No.485/2006 of Cherthala Police Station for an offence punishable under Section 395 IPC, seeks anticipatory bail.

2. The occurrence took place on 13.11.2006 and was reported on 16.11.2006. Seven accused persons are alleged to have robbed the de facto complainant of cash worth Rs.7,000/- from his pocket and Rs.18,000/- from inside his banian on a day, when a case under section 138 of the Negotiable Instruments Act, in which the de facto complainant was the complainant against the first accused, was settled by payment.

3. Learned Public Prosecutor opposed the application.

4. Eventhough anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 2.3.2007 and 4.3.2007 for the purpose of interrogation. He shall, thereafter, be produced before the concerned Magistrate, who shall release the petitioner on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks